

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JON ETHRIDGE, et al.,

Plaintiffs,

Civil Action No. 12-CV-10806

vs.

HON. BERNARD A. FRIEDMAN

FREMONT INVESTMENT & LOAN, et al.,

Defendants.

/

ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter is presently before the Court on (1) the motion of Signature Group Holdings (“Signature”), as successor to defendant Fremont Investment & Loan (“Fremont”), to set aside the clerk’s entry of default against Fremont [docket entry 26], (2) Signature’s motion to dismiss the complaint [docket entry 26], and (3) plaintiffs’ motion for default judgment against Fremont [docket entry 28]. On November 28, 2012, Magistrate Judge Mona K. Majzoub submitted a report and recommendation (“R&R”) in which she recommends that the Court grant defendant’s motions and deny plaintiffs’ motion. No party has objected to the R&R and the time for doing so has expired.¹

The Court has reviewed the complaint, the motion papers and the R&R and is satisfied that the magistrate judge’s analysis of the issues is correct and that her recommendations are sound. Accordingly,

¹ On December 3, 2013, during the objection period, plaintiffs filed a document entitled “Objection to Magistrate’s Report and Recommendation” [docket entry 38]. However, these objections are directed at an earlier R&R (issued November 13, 2012), not the one presently before the Court. Plaintiffs indicate at p. 3 of their December 3 objections that they “received a Report and Recommendation dated November 13, and [are] now responding to said document.”

IT IS ORDERED that Magistrate Judge Majzoub's R&R of November 28, 2012, is hereby accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Signature's motion to set aside the clerk's entry of default against Fremont [docket entry 26] is granted.

IT IS FURTHER ORDERED that Signature's motion to dismiss the complaint [docket entry 26] is granted.

IT IS FURTHER ORDERED that plaintiffs' motion for default judgment against Fremont [docket entry 28] is denied.

Dated: December 27, 2012
Detroit, Michigan

S/ Bernard A. Friedman _____
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE